

-----Original Message-----

From: Lardy, Leeann

Sent: Tuesday, July 06, 2004 5:45 PM

To: 'Anthony.Garcia@Faa.Gov' (E-mail)

Cc: Drinkwater, Peter; Nelson, Eric A

Subject: Request for clarification on FAA expectation County Airports regarding plan check

Attachment 18

Tony,

As we discussed on Wednesday, June 16, 2004, County Airports staff is working to comply with item 16. **"The County will ensure that hangar projects at McClellan-Palomar, Ramona, Borrego Valley and Fallbrook Community Airpark are in compliance with Part 77 requirements before any construction begins"** in the compliance letter of May 17, 2004 but we need additional direction on your intent. I've been asked to work with you to make sure we have a clear understanding of your expectations in this area.

With the way the letter is worded there is some concern that County Airports should not approve projects where there is any problem, such as a penetration according to Part 77 even if the FAA has reviewed and approved of a project and is well aware of any deviations. However, the FAA may determine it is appropriate to approve projects that do not meet exact requirements due to constraints existing at the airport and in these cases the FAA should be the final say.

It's our understanding that your intent was to make sure both Airports staff and the FAA carefully evaluate proposed projects before allowing construction to begin. In our phone conversation you mentioned a check and balance with Airports and FAA. In order to make sure we provide this, County Airports is developing written procedures regarding plan approval to ensure we have performed due diligence acceptable to the FAA regarding plan check.

This is just a draft but I would really appreciate it if you could let me know if this is close what you had in mind or if you have other suggestions. Upon completion, it will be included in the Policies and Procedures document that Sherry Miller is working on.

Procedure for development projects:

1. At beginning of the process, Lessee is informed that that a Notice of Proposed Construction or Alteration (FAA Form 7460-1) should be submitted to the FAA for any proposed construction project with a copy sent to Airports. Lessee is further informed that construction may not begin until airport staff receives an approved FAA Form 7460 from the Lessee.
2. Airports Engineer receives plans; reviews them to assure all required critical engineering data are shown. Plans are circulated to Airport Manager and Real Property for review.
3. Staff works with lessee to make adjustments to address concerns.
4. Staff may decide to sign project plans (to help expedite the permitting process) if the 7460 has been submitted to FAA and staff foresees no known Part 77 or safety violations, however approval stamp will say construction will not begin until airport staff receives an approved FAA Form 7460 from the Lessee.
5. If staff believes that the proposed project may be in close proximity or does indeed penetrate Part 77 airspace, the airport engineer will confer with FAA to make sure these concerns are being evaluated.
6. The new stamp to sign off project plans will state the following: "Approved for planning purposes only. All applicable regulatory requirements must be met at lessee's expense by lessee. **Lessee shall submit to Airports an approved Notice of Proposed Construction or Alteration FAA Form 7460-1 prior to starting construction.**" (bold will currently be written in but a new stamp will be ordered once exact wording is agreed to). Signed by Airport Engineer, Real Property, Airport Manager and last, by Airports Director.
7. FAA approves 7460. If all other permits are in place construction can begin.

Thanks for your help on this.

Lee Ann Lardy
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